

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
10-CV-02399

---

Thomas Ochs and Helen Ochs

Plaintiff,

vs.

**ORDER GRANTING WITHDRAWAL OF  
REMOVAL TO FEDERAL COURT  
AND REMAND TO STATE COURT**

David Baker,

Defendant.

---

THE COURT HEREBY ORDERS THAT:

1. As Defendant David Baker is a resident of the state of Minnesota and while there is diversity of citizenship and this action could have been brought originally in Federal Court, removal is not appropriate pursuant to 28 U.S.C. § 1441(b);
2. Defendant David Baker's request that the The Notice of Removal Pursuant to 28 U.S.C. § 1441 be withdrawn is granted;
3. The above-entitled matter is remanded back to the District Court of the County of Hennepin, State of Minnesota for the exercise of jurisdiction over this action; and
4. There is no prejudice to either party.

Dated this 22 day of June, 2010.

By the Court:

s/Paul A. Magnuson  
Paul A. Magnuson, Judge  
United States District Court